

MONTEREY COUNTY

DEPARTMENT OF HEALTH Ray Bullick, Director

ANIMAL SERVICES
BEHAVIORAL HEALTH
CLINIC SERVICES

EMERGENCY MEDICAL SERVICES
ENVIRONMENTAL HEALTH

PUBLIC HEALTH
PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN



September 5, 2014

San Vicente Mutual Water Company
Attn: Carl Peters
P.O. Box 914
Soledad, CA 93960

RE: Compliance Order No. 14-003
San Vicente Mutual Water Company, I.D. No. 270-2466

Dear Mr. Peters,

The California Health and Safety Code (H&SC), Section 116655, gives the Monterey County Health Department, Environmental Health Bureau, (EHB) authority to issue Orders directing compliance with the Health and Safety Code (HSC), Division 104, Part 12, Chapter 4 (a.k.a., the Safe Drinking Water Act), and with any permit, standard, or regulation issued or adopted pursuant to said Chapter. This Compliance Order directs the referenced water system to comply with State regulations and domestic water permit conditions by supplying specified documents and information.

The H&SC requires that a water system shall reimburse EHB for costs incurred in enforcement activities related to said system. Enforcement activities include preparing, issuing, and monitoring compliance with an order or citation; preparing and issuing public notification; and conducting a permit suspension or revocation hearing. Our costs, based on our current hourly rate, will be charged to the above water system for any further enforcement. If you have any questions regarding this compliance order, please contact this office at 755-4775.

Sincerely,

John Ramirez, M.P.H., R.E.H.S.
Director, Environmental Health Bureau

Enclosure: Compliance Order No.14-003

cc: Cheryl Sandoval, Supervising Environmental Health Specialist
Richard LeWarne, Assistant Director
Jan Sweigert, District Engineer DHS
Charles Hewitt II, Environmental Health Specialist

COUNTY OF MONTEREY
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

In RE: San Vicente Mutual Water Company, I.D. No. 270-2466

TO: Carl Peters
P.O. Box 914
Soledad, CA 93960

Findings

1. San Vicente Mutual Water Company (hereinafter "Respondent") supplies domestic water to residents served by San Vicente Mutual Water Company. The Respondent is currently operating by authority of a domestic water permit issued by the Monterey County Health Department (hereinafter "Department") on January 5, 2011.
2. The Respondent supplies water obtained from three submersible wells; Well #1 (North), Well #2 (South), and Well #3 (New North). Well #2 is a standby well that is used during emergencies. Storage consists of two 20,000 gallon steel tanks. The system has one pressure zone, which also provides fire protection.
3. The Respondent's domestic water permit includes the following conditions:
 - a. The system shall at all times remain in compliance with Federal, State, County rules and regulations pertaining to water systems;
 - b. Water for domestic purposes shall, under all circumstances and conditions, be pure, wholesome and potable, and shall not endanger the lives or health of human beings.
4. These permit conditions have not been met in that:

- a. Water provided by the Respondent to the consumers for domestic use from Well #1 (North) and Well #3 (New North) does not consistently meet primary drinking water standards for nitrates.
- b. The water system has failed to provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.

History

The water system has been collecting quarterly nitrate samples on Well #1 and Well #3 since 2012. In 2013, the quarterly results for Well #1 were as follows: 21mg/L, 22mg/L, 8mg/L, and 7mg/L. In 2013, the quarterly results for Well #3 were as follows: 32mg/L, 21mg/L, 12mg/L, and 13mg/L. On February 12, 2014 the quarterly result for Well #1 was 23mg/L. On March 21, 2014 the quarterly result for Well #3 was 34mg/L. The water system collected quarterly nitrate samples on Well #1 and Well #3 on June 12, 2014. The results were reported to be 56mg/L for Well #1 and 52mg/L for Well #3. Confirmation samples were taken on June 27, 2014 with results of 47mg/L and 44mg/L respectively. The result of the average of the confirmation samples and the original samples for each well is 51.5mg/L for Well #1 and 48mg/L for Well #3, which exceeds the MCL of 45mg/L. The water system did notify the residents of the failure of the nitrate MCL on June 25, 2014.

Conclusions

1. Based on the above described Findings, the Department concludes that the Respondent has violated provisions of the California Health and Safety Code (HSC), Division 104, Part 12, Chapter 4, AKA the California Safe Drinking Water Act (SDWA); Monterey County Code

(MCC), 15.04, and California Code of Regulations (CCR), Title 22, Chapter 15. These violations include, but are not limited to, the following:

- a. Section 64431, CCR: Nitrate level in domestic water supply exceeds its Maximum Contaminant Level of 45 mg/L or parts per million.
- b. Section 116555, HSC: Failure to provide water that meets primary drinking water standards.
- c. Section 116555, HSC: Failure to provide a reliable and adequate supply of pure, wholesome, healthful, and potable water.
- d. 15.04.130 (f), MCC: All water systems designed for and servicing twenty (20) or more connections shall require two sources of water supply.

Order

1. Pursuant to Section 116655 of the HSC, the Department hereby orders Respondent, San Vicente Mutual Water Company, to do the following to ensure that the water supplied shall at all times be pure, wholesome, potable and healthful.
 - a. Two acceptable permanent water sources for domestic water supply must be developed (example of options: new well development, water system consolidation, water treatment, etc.) Submit an implementation plan for the development of acceptable permanent sources of drinking water to the Department for approval by October 31, 2014.
 - b. Upon approval by the Department, the plan shall be implemented and the domestic water supply to all users of San Vicente Mutual Water Company shall comply with all

primary and secondary drinking water standards as set forth in Chapter 15, CCR, by
December 31, 2014.

2. No new active connections are to be allowed until two sources are approved.
3. Distribute Public Notification as required by CCR Title 22, Section 64463.1 on a quarterly basis. Notification documents are attached to this Compliance Order. Submit a copy of the notification as distributed and a completed Proof of Notification by September 10, 2014 and quarterly thereafter by the 10th day following the month due.
4. The Department reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.
5. All submittals required by this order shall be addressed to:

Environmental Health Bureau
Drinking Water Protection Service
1270 Natividad Road
Salinas, CA 93906-3198
6. If Respondent is unable to perform the tasks specified in this Order for any reason, whether within or beyond Respondent's control, and if Respondent notifies the Department in writing no less than five days in advance of the due date, the Department may extend the time for performance if Respondent demonstrates that it has used its best efforts to comply with the schedules and other requirements of this Order. If Respondent fails to perform any of the tasks specified in this Order by the time described herein or by the time as subsequently extended pursuant to this paragraph, Respondent shall be deemed not to have complied with the obligations of this Order and may be subject to additional judicial action including civil penalties specified in the HSC, Section 116725.

6. The County of Monterey shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by the Respondent, its employees, agents or contractors in carrying out activities pursuant to this Order, nor shall the County of Monterey be held as a party to any contract entered into by the Respondent or its agents in carrying out activities pursuant to this Order.

7. By issuance of this Order, the Department does not waive any further enforcement actions.

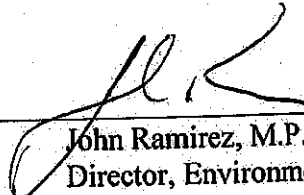
Parties Bound

This Order shall apply to and be binding upon the Respondent, its officers, directors, agents, employees, contractors, successors, and designees.

Severability

The requirements of this Order are severable, and Respondent shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.

9-5-14
Date


John Ramirez, M.P.A., R.E.H.S.
Director, Environmental Health Bureau

Cc: Richard LeWarne, EHB Assistant Director
Cheryl Sandoval, Supervising Environmental Health Specialist
Jan Sweigert, District Engineer, DHS
Charles Hewitt II, Environmental Health Specialist

AN IMPORTANT NOTICE REQUIRED BY THE MONTEREY COUNTY HEALTH DEPARTMENT

SAN VICENTE MWC, I.D. No. 270-2466

Samples taken in June 2014 indicate that the Nitrate content in the water supplied to you is fluctuating. These results indicate that at times the nitrate level may exceed the maximum permissible level set by the State and Federal Drinking Water Regulations. This notice is to inform users of the quality of their water.

Water containing nitrates in excess of 45 mg/l presents a risk to the health of humans when continually used for drinking or cooking purposes. Pregnant woman and children under the age of 6 months run the greatest risk of experiencing possible health problems, i.e. "Blue Baby Syndrome". The presence of nitrates in the blood reduces its oxygen-carrying capacity. Accordingly, you are advised not to use water from this system in the preparation of food, juices or baby formulas. Be advised that boiling the water will not eliminate the problem but rather increases the concentration of nitrate.

Pregnant women are also at risk of developing the symptoms of methemoglobinemia due to the presence of nitrate in their drinking water. During pregnancy, it is common for methemoglobin levels to increase from the normal range (0.5 to 2.5% of the total hemoglobin) to a maximum of 10% in the 30th week of pregnancy, and then decline to normal levels after delivery. Therefore, pregnant women are particularly susceptible to methemoglobinemia and should be sure that their drinking water does not exceed safe levels for nitrate. There is, however, no clear evidence that nitrate can be transmitted to the fetus from the pregnant woman.

HEALTH HAZARDS HAVE BEEN CONFIRMED FOR PERSONS YOUNGER THAN 6 MONTHS AND PREGNANT WOMEN. THESE USERS SHALL USE BOTTLED WATER OR WATER FROM AN APPROVED SOURCE FOR DRINKING OR COOKING PURPOSES UNTIL IT CAN BE DETERMINED, IF POSSIBLE, THAT THE WATER IS SAFE. THE REMAINING USERS MAY WANT TO USE BOTTLED WATER OR WATER FROM AN APPROVED SOURCE FOR DRINKING OR COOKING PURPOSES AS WELL. CARE SHOULD BE TAKEN IN HANDLING AND TRANSPORTING WATER TO PREVENT BACTERIOLOGICAL CONTAMINATION.

FOR FURTHER INFORMATION, CONTACT:

NAME CONTACT PERSON

WATER SYSTEM NAME

PHONE #